



GRIEVANCE POLICY AND PROCEDURE

Date Approved by Governors	October 2018
Review Date	October 2020
On behalf of Governors signed	
Print name	
On behalf of Governors signed	
Print name	
Principal's signature	

All One In A Million Free School Policies have been devised to ensure that:

- Students from all backgrounds and all abilities are welcome
- Each student has the opportunity to flourish and achieve their potential
- We value the individuality of each student within the context of membership of our community
- We are committed to raising educational attainment and improving our students' life chances
- We provide an environment in which all students will be self-aware, self-disciplined and confident
- All students will understand how to make a positive contribution to our extended community
- We support academic, creative and personal achievement through our focus on Sport, the Arts and Enterprise



Purpose and aims

All employees have a statutory right to know how their grievances will be resolved. The Governing Body requires that the One In A Million Free School (OIAMFS) Grievance Procedure promotes fairness and consistency in the treatment of individual employees, and reflects the policies on equality & diversity and the avoidance of discrimination.

This procedure will be followed when dealing with a grievance or dispute in relation to an individual's employment. It will not generally be applied to collective disputes that are dealt with under a separate procedure. Allegations and issues that can be termed harassment, bullying or discrimination will be dealt with under separate procedures.

The policy and procedure aims to ensure that:-

- The procedure is known by all employees;
- Any employee can raise grievances in respect of their employment within OIAMFS;
- Grievances are dealt with promptly and in a fair and supportive manner;
- As near as possible to the point of origin;
- A fair appeal procedure is available.

The nature of grievance

Grievances can arise from a variety of sources and in essence are a complaint an employee has about action that their employer has taken or is contemplating taking. It is important to recognise and understand that many potential problems and difficulties can and should be resolved informally and as quickly as possible. Formal procedures are to be used for problems that are serious by their nature, or become serious because they remain unresolved after informal steps have failed to achieve a satisfactory outcome.

Time Scales

Time scales given in this procedure are expressed in terms of working days. All parties must act without unreasonable delay. However where these time scales cannot be met for a valid reason then reasons and expectations must be provided



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in writing. The coincidence with out of term times should not be used as a reason for delay without good reason by any of the parties.

Responsibilities

The Governing Body

The Governing Body will make and maintain the Grievance Policy and Procedure.

The Governing Body has delegated to the Principal the responsibility for dealing with staff grievances. (When the Principal has a grievance, the matter will be dealt with by the chair, or if appropriate by another nominated governor.)

The Principal also has the power to delegate responsibility for dealing with grievances to appropriate line managers.

The Governing Body will appoint an appeal panel to hear any appeals from the Principal's decisions.

Otherwise governors will play no part in the Grievance Procedures.

The Principal

The Principal has the responsibility for managing the procedure and for resolving grievances as far as is reasonably practicable. The Principal must ensure that all staff know the procedures.

The Principal has the delegated power to require appropriate line managers to resolve grievances and disputes in the first instance, and to pass the matter to the Principal if it has proved impossible to resolve satisfactorily.

The Principal must aim to resolve any formal grievances referred to him/her as promptly and as sensitively as possible. The employee must be advised that s/he may be accompanied by a colleague or trade union representative at any meeting dealing with the grievance.

The Principal must ensure that any decision regarding the grievance is communicated to the employee, wherever possible, at the end of the meeting, and confirmed in writing within 5 working days. The letter must also confirm to the employee their right to appeal to the Governing Body.



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Line Managers

The appropriate line managers have the responsibility for ensuring that any grievance brought to their attention is considered promptly and a resolution sought. They are expected to apply the procedures and conduct any investigation in a sensitive and considerate manner.

If it is not possible to resolve a grievance satisfactorily s/he must refer the matter to the Principal.

The Employee's Companion

The employee's companion has the right to:-

- Address the hearing, putting the employee's case;
- Sum up the case;
- Respond on the employee's behalf to any views expressed at the hearing;
- Confer with employee during the hearing.

The companion may not answer on behalf of the employee any questions put directly to the employee, and may not address the hearing if the employee indicates that s/he does not want the companion to do so.

The companion may not stop the employee explaining his/her case, nor prevent anyone else at the hearing from making a contribution.

Appeal panel

The Governing Body will appoint an appeal panel of three members. The Governing Body's appeal panel must hear any appeal within five working days of the appeal being received. The panel must consider evidence from all relevant parties, and must allow all parties to be heard at the meeting.

The members of the panel should ensure that they have not been involved in any prior stages of the grievance procedure. They must declare any prior involvement and play no further role.

The panel may call for expert advice wherever appropriate.

The panel must retire to make its decision, which may be in the form of a recommendation if appropriate. The panel can announce its decision at the end of the meeting, or later, but written confirmation of the decision must be sent to all parties within 5 working days.



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The Employee

The employee has the duty to use every endeavour to resolve the dispute satisfactorily. The employee has a right to bring a colleague or trade union representative to any meeting relating to the grievance.

The Governing Body expects that employees will also set out with the intention of settling the dispute as speedily as possible.

Where an employee is aggrieved on any matters involving other staff, they should discuss the matter initially with the individual concerned. If they feel unable to do this or this fails to resolve the matter, it should be raised with their line manager.

If the dispute cannot be resolved informally the employee must follow the formal procedures.

The formal procedures

Step 1 Statement of Grievance

Where the informal procedure has failed to resolve the matter, the employee must submit details of the grievance in writing to the Principal, including details of any attempt to resolve the matter informally, as soon as is reasonably practicable.

If the grievance is against the Principal, or the Principal is the aggrieved party, the written grievance will be forwarded without delay to the Chair of Governors, or other nominated governor.

Step 2 The Meeting

The Principal will arrange to meet the employee within five working days with a view to resolving the dispute. The Principal may seek advice from any appropriate source, and may take evidence from the line manager and/or all the parties to the dispute

It may be necessary to convene a series of meetings, with those involved in the grievance for this purpose. The first meeting should, wherever possible, be arranged within ten working days of receipt of the formal written grievance. Any other meetings should be arranged as soon as reasonably practicable after the first one.

Copies of all relevant documents should be provided to all parties involved at least three working days before the meeting.



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Each party may be accompanied by a colleague or trade union representative and will be given an opportunity to present their case.

The decision of the Principal will normally be given at the end of the meeting, or as soon as reasonably practicable thereafter, and confirmed in writing at the earliest opportunity but in any case no later than 5 working days.

If the employee is not satisfied with the Principal's decision s/he has a right of appeal to the Governing Body's appeal panel.

Right of appeal

The employee with a grievance that has not been resolved to his/her satisfaction has the right to an appeal panel of the Governing Body.

The appeal should take place within ten working days of the receipt of the written notification of an appeal.

Copies of all relevant documents will be provided in advance of the meeting to all parties involved.

Each party may be accompanied by a colleague or a trade union representative and will be given an opportunity to present their case to the panel.

The decision, or recommendations, of the panel will be given to all parties at the end of the meeting, or as soon as possible thereafter, and confirmed in writing within 5 working days.

There is no further right of appeal and the findings of the Appeal Panel will be binding on all parties.

Conduct of the appeal hearing

The grievance will be stated by the employee or the representative. Any relevant witnesses or witness statements may be considered, and expert advice can be sought if appropriate.

The panel will then ask the Principal to explain his/her decision and to offer any evidence.

The employee (or companion) may ask questions of the Principal and any witnesses.



At any point the panel members can ask questions of all parties.

The panel will ask the employee or representative to sum up the grievance.

At the end of the meeting the panel will consider its decision without any other party being present except a person who was present for the purpose of taking minutes.

Adjournment

The panel may adjourn the proceedings at any stage if this appears necessary or desirable. If the adjournment is for the purpose of enabling further information to be obtained the Panel will specify the nature of that information.

All parties may ask for an adjournment for the purpose of consultation.

Any adjournment will normally be for a specified time.

Witness Statements

If witness statements have been obtained during the course of any investigation all parties must be given copies of them at least 2 working days before the hearing. A shorter period may apply if agreed by all parties. A request or the need to preserve the anonymity of any witnesses should be dealt with and handled appropriately. This may include the use adjournments or reconvening at another location. All parties should be kept informed of these decisions in a way that does not compromise the need for anonymity.

Witnesses

Either side may introduce witnesses to the meeting with the Principal or Appeal Panel hearing, but must notify all relevant parties at least 2 working days before the meeting.

Confidentiality

To ensure the rules of the natural justice are maintained for all parties, the Principal Governors and any other party must ensure that matters relating to any disputes are not discussed outside of the meetings considering the grievance.



Equal opportunities

In all the procedures all parties must take into account OIAMFS's Equality and Diversity policies and to ensure that there is no discrimination on the specified characteristics namely age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, ethnic origin, colour, nationality, national origin, religion or belief, sex or sexual orientation

Monitoring and review

The Governing Body will review and amend this policy and procedure at least every two years or as required by:-

- Changes in legislation
- Changes in guidelines from advisory bodies
- The effectiveness of the policy.